



## Newsletter

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If you have anything that you would like included in our next newsletter, please contact the Early Years Information Team by email at [eyiit@tusla.ie](mailto:eyiit@tusla.ie).



L-R: Grant Landon, Interim National Manager; Denise Collins, Registration Manager; John Maguire, Quality and Regulatory Development Manager; Julie Nohilly, Operations Manager.

Dear early year's providers, I am delighted as Interim National Manager of the Early Years Inspectorate to introduce this end of year issue of the Early Years Inspectorate Newsletter.

2018 has been another busy year for the Early Years Inspectorate as we continue, with your support, to improve and enhance the quality of provision in early year's services through compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016. There are a number of important projects that have come online in 2018. A significant piece of work has been the completion and publication of the Quality Regulatory Framework (QRF) and the associated suite of online supports. Feedback from the sector during the eight national briefing sessions, which we undertook in November and December in collaboration with local County Childcare Committees has been very positive. The QRF is a first step on the quality journey to support compliance and it will be supported in 2019 with a suite of online learning supports, and a 'train the trainer' programme. The early year's sector in Ireland is growing and constantly evolving and we in the Early Years Inspectorate are privileged to be the independent statutory regulator of such a dynamic and committed sector. We look forward to your continued engagement in 2019.

I'll conclude by saying our campaign to recruit new Early Years Inspectors has had a positive response. We received applications from a large numbers of professionals from an array of relevant backgrounds with tremendous levels of knowledge and expertise. I look forward to welcoming some new colleagues into the inspectorate shortly.

I am sure you will find the contents of this newsletter informative and useful. Please share with colleagues and remember that you can sign up to receive the newsletter directly via our mailing list [eyiit@tusla.ie](mailto:eyiit@tusla.ie). Along with all previous editions you can download this newsletter via our website; <http://www.tusla.ie/services/preschool-services/early-years-newsletter>.

Thank you to those of you who have welcomed me in my new role, I look forward to meeting many more of you soon. On behalf of myself and the Early Years Inspectorate team, I wish you a very happy Christmas.

*Grant Landon,  
Interim National Manager*

### Early Years Inspectorate Annual Report 2017: A Good News Story!!

The 2017 annual early year's inspectorate report was published in November 2018 and is available at <http://www.tusla.ie/publications>.

The report provides an outline of the early year's inspectorate at both a macro and micro level. Starting with the governance of the Early Years Inspectorate the report outlines strategic developments in relation to the structure and function of the inspectorate team. This year's report is structured around three main areas; registration, operations and quality. The report highlights key activities and achievements of 2017 within these three areas. The report concludes with the statistics which identify how regulatory inspection positively impacted on the quality of early year's provision and practice. The findings of this section provide positive assurance to policy makers, parents and families of the quality of the early childhood education and care provision. As the independent statutory regulator of early years services in Ireland the focus of the inspectorate is on compliance. This often means a greater focus on non-compliance with the regulations. However, the 2017 annual report highlights a high level of compliance in early years settings inspected and this is testament to the commitment and engagement of the sector to date.

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## Annual Report 2017 (Cont.)

There are a number of key statistics presented under the three headings of registration, Operations and quality provide valid, reliable evidence to support the findings. From 500 non-compliant regulations inspected, 83% or 414 regulations were deemed compliant by the time the report was issued.

Information was submitted under Corrective Actions and Preventative Actions (CAPA) in relation to a further 10% or 52 non-compliant regulations and these were subsequently deemed compliant by the Early Years Inspectorate, to be verified at the next inspection. This is a good news story for parents of children accessing Tusla registered early years services. These findings also confirm the commitment of the early year's sector to ensuring quality early care and education experiences for the children accessing their services.

There is of course continuous work to be done in relation to areas of non-compliance. According to the data sample of 500 non-compliant regulations which were analysed, 34 non-compliant regulations or a total of 7% continued to be non-compliant at the end of the inspection process. In circumstances where a Registered Provider of an early years' service fails to address non-compliance or fails to address issues relating to the conditions attached to its registration, the Early Years Inspectorate has the authority to increase enforcement actions when a Registered Provider fails to address non-compliance or issues relating to the conditions attached to its registration. This includes removal of the early years' service from the Register and the prosecution of the Registered Provider.

### Quality Measures Escalation Process



This includes removal of the early years' service from the Register and the prosecution of the Registered Provider.

The 2017 annual report identifies the levels of compliance and non-compliance by regulation. Regulation 23; Safeguarding Health, Safety and Welfare of Child had the highest level of non-compliances recorded at 58%. Inspection of Regulation 23 considers the general safety of the service, safe sleep, administration of medicine, management of outings, infection control, risk management, accident and incident prevention and fire safety. Guidance to support practice in relation to this regulation can be found on pages 54-63 of the QRF at [https://www.tusla.ie/uploads/content/4566-TUSLA\\_QRF\\_DAY\\_CARE\\_LR.pdf](https://www.tusla.ie/uploads/content/4566-TUSLA_QRF_DAY_CARE_LR.pdf).

The report identifies that Regulation 16, Record in Relation to a Pre-School Service had the second highest level of non-compliance on inspection. Under this regulation the inspectorate seeks documentation which provides details of the service including roles and responsibilities, information in relation to the service and service record retention. Guidance to support self-assessment in relation to this regulation is available in the [Quality Regulatory Framework](#) pages 20/21

I hope this whistle stop tour of the Early Years Inspectorate Annual Report 2017 has further highlighted you to the high level of quality provision in early year's services in Ireland. Through our research we have been able to identify the regulations which require attention. The Quality Regulatory Framework is the first step to supporting higher levels of compliance. This will be followed by a suite of online support materials which will be freely available. We look forward to your continued engagement.

## The Quality Regulatory Framework:

*Setting out the core regulatory requirements in a transparent way.*

Early Years Inspectorate, in collaboration with the Department of Children and Youth Affairs, launched the Quality and Regulatory Framework (QRF) on Wednesday the 5 September 2018 in Dublin. The publication of the Quality Regulatory Framework has been heralded as a significant step in achieving the key objectives as set out in the Tusla Corporate Plan 2018-2020. The 2018-2020 plan provides a renewed vision of "An Ireland that is committed to the safety and wellbeing of children, young people, and families" and a mission which is committed to "working together to provide good quality, supportive services to achieve better outcomes for children, young people, families, and communities". The initial steps on the journey by the Early Year's Inspectorate to launching the Quality Regulatory Framework started in 2014 with a detailed analysis of 3,000 pre-school inspection reports. Findings highlighted the need for greater clarity in the requirements for compliance with preschool regulations. The



## Quality & Regulatory Framework (Cont.)

development of this document involved a three pronged approach which included a review of national and international documentation and evidence. It also included consultations with national and international experts and preliminary and final consultations with the sector which were conducted in spring and winter 2017. Tusla's Director of Quality Assurance, Brian Lee, confirmed that the QRF is intended as a comprehensive support to early year's providers in achieving compliance. The document

brings clarity to the regulations and assessments by the early year's inspectorate and improving the quality provision and promote standardisation and consistency in service delivery, as well as inspection.



Dr Fergal Lynch, Secretary General, Department of Children and Youth Affairs and Brian Lee, National Director of Quality Assurance Tusla.



QRF Navan Roadshow

## Quality Regulatory Framework Roadshows:

A total of eight Quality Regulatory Framework briefings were conducted nationally during November and December 2018. The briefings were attended by over 1,000 delegates who came from a range of disciplines across the early year's sector including; early year's practitioners, management and staff, tutors and lecturers from third level institutions, quality mentors and policy makers. Tusla wishes to thank the following Committees who volunteered their assistance at the briefing sessions; Galway County Childcare Committee, Fingal County Childcare Committee, Roscommon County Childcare Committee, Louth County Childcare Committee, Limerick County Childcare Committee, Cork County Childcare Committee, Sligo County Childcare Committee and Kilkenny County Childcare Committee. Feedback at all the briefing sessions have been very positive and questions posed at the sessions have been compiled and will be incorporated into a question and answer document.

The QRF is the first step to supporting providers in achieving compliance. To further support practitioners Tusla is in the process of designing an online learning programme to include online video supports, a 'train the trainer programme' and inspector supports. A range of inspection tools to support Early Years Inspectors in assessing compliance with the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016 are being developed. Tusla has committed to pilot the inspection tool in eight settings based on the QRF between December 2018 and March 2019. Thanks to providers who have offered to participate in the pilot inspections. Inspection against the QRF is planned for the last quarter of 2019. In the interim the QRF document provides a wealth of information and clarity to support and assess the level of compliance in the desired setting. At this stage all registered providers should have received a setting specific copy of the QRF. The hard copy document is further supported by the online version which also offers the option to hyperlink onto a range of excellent resources to support your service provision.

## Policies and Procedures:

To support providers to comply with the preschool regulations a practical guide to developing policies and procedures, with supporting online policy and templates, have been circulated to registered providers. Templates are available at <https://www.tusla.ie/services/preschool-services/early-years-quality-and-regulatory-framework/sample-policies-and-templates/>

## Questions and Answers

This Question & Answer section has been developed from the questions which have been most frequently submitted to the Early Years Inspection team in recent months. These examples aim to assist providers to comply with the Early Years services regulations.

**Q** *This question relates to the QRF, page 55 under “Infant Formula”, and the fact that no milk or other infant foods are warmed in a microwave oven. I want to know how food is to be heated if microwaves are not allowed. We use bottle warmers to heat babies’ bottles and microwave ovens for food heating, using food probes to check that food is adequately heated.*

**A** The statement in the QRF Regulation 23: Safeguarding Health Safety and Welfare of Child, relating to Infant Formula refers to formula milk or infant formula food outlined in “Food Safety Authority: Information Relevant to the Development of Guidance Material for the Safe Feeding of Reconstituted Powdered Infant Formula (Revision 2)”. The statement does not relate to solid foods which need to be re heated.

It is accepted that infant formula milk or babies bottles are not heated in a microwave due to hot spots in the liquid and the fact that milk continues to heat even after it is removed from the microwave.

For all other baby food (solids), if the manufacturer state on the container that the food can be reheated in a microwave, under certain conditions, then reheating of food is acceptable as per the instructions on the box/ container - i.e. heating times, stir, allowing standing for a specific length of time. Food or dinners that are prepared at home and stored in containers can be reheated in the early years setting when the policy and procedure for the safe reheating of food is adhered to as outlined by the Food Safety Authority, Safe Food and relevant legislation.

Following reheating of baby food (solids) the temp should be checked using a probe, food should be stirred to prevent heat spots and the food should be left to cool until it is the correct temperature for safe feeding.

**Q** *I wish to know if garda vetting for voluntary boards of management who do not have direct access to children is required. I understand from the new Vetting Bureau Act that board members are not to be vetted unless they have regular access to children and that organisations who are putting in applications for Board Members who do not have regular access to children are in fact in breach of the Act, for which there are penalties?*

**A** Under Regulation 6, each member of a Board of Directors and each member of a Board of Management must be vetted at Registration and Re- Registration. If a new board member joins a board of an early years setting, then the vetting for this person should be forwarded under Change in Circumstances. Vetting for members of boards of management or directors is requested at registration and re registration but is not currently being inspected during preschool inspections.

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 identifies that only individuals in direct contact with children are vetted. However, as the regulator of early year’s services, Tusla has a duty of care to all children accessing registered ECEC services. The Early Years Inspectorate are currently in discussion with the National Vetting Office on the anomaly in legislation specifically in relation to the vetting of members of board of managements of early years settings who do not have direct access to children. Members of boards of management of early year’s settings are in a position of authority and can gain access to children . Best practice suggests that an application for garda/ police vetting is made for all board members of early year’s settings.